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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/763,083

01/22/2004

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03/13/2006

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EXAMINER

TRAN, QUOC DUC

ART UNIT

PAPER NUMBER

2643

DATE MAILED: 03/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/763,083

Applicant(s)

CREAMER ET AL.

Examiner

Quoc D. Tran

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 8, 10-14, 19, 21-25, 30 and 32-39 is/are rejected.
- 7) ☒ Claim(s) 4-7, 9, 15-18, 20, 26-29 and 31 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 8, 12-14, 19, 23-25 and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Mani (6,744,868)

Consider claims 1 and 23, Mani teaches a method and computer program comprising: receiving a message over a computer network, the message corresponding to an incoming telephone call and including caller attributes; retrieving a customer profile using the caller attributes; and processing the incoming telephone call using the customer profile (col. 10 line 25 – col. 11 line 20).

Consider claims 2 and 24, Mani teaches wherein the incoming telephone call is received over a telephone network, and wherein the computer network and the telephone network are heterogeneous (col. 6 lines 30-52).

Consider claims 3 and 25, Mani teaches the method and system further comprising: determining whether to accept the incoming telephone call based upon the caller profile; and accepting the incoming telephone call in response to the determination (col. 11 lines 1-20).

Consider claims 8 and 30, Mani teaches the method and system further comprising: retrieving a service subscription corresponding to the caller profile; and allowing an initiating

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caller to perform actions corresponding to the service subscription, the initiating caller corresponding to the incoming telephone call (col. 8 lines 1-11).

Consider claim 12, Mani teaches an information handling system comprising: one or more processors; a memory accessible by the processors; one or more nonvolatile storage devices accessible by the processors; a telephone network; a computer network; and a caller processing tool for processing an incoming telephone call (Fig. 5), the caller processing tool comprising software code effective to: receive a message over the computer network, the message corresponding to the incoming telephone call and including caller attributes; retrieve a customer profile from one of the nonvolatile storage devices using the caller attributes; and process the incoming telephone call using the customer profile (col. 10 line 25 – col. 11 line 20).

Consider claim 13, Mani teaches wherein the incoming telephone call is received over the telephone network, and wherein the computer network and the telephone network are heterogeneous (col. 6 lines 30-52).

Consider claim 14, Mani teaches wherein the software code is further effective to: determine whether to accept the incoming telephone call based upon the caller profile; and accept the incoming telephone call in response to the determination (col. 11 lines 1-20).

Consider claim 19, Mani teaches wherein the software code is further effective to: retrieve a service subscription from one of the nonvolatile storage devices corresponding to the caller profile; and allow an initiating caller to perform actions corresponding to the service subscription, the initiating caller corresponding to the incoming telephone call (col. 8 lines 1-11).

3. Claims 34, 36 and 38 are rejected under 35 U.S.C. 102(b) as being anticipated by Strauss et al (5,864,612).

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Consider claims 34, 36 and 38, Strauss et al teach a method and system comprising: receiving a customer identifier over a telephone network wherein the customer identifier is not an initiating caller's telephone number, and wherein the customer identifier corresponds to an incoming telephone call; retrieving a customer profile using the customer identifier; and processing the incoming telephone call using the customer profile (col. 7 line 60 – col. 8 line 50).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 10, 21 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mani (6,744,868).

Consider claims 10, 21 and 32, Mani did not suggest the method and system further comprising: requesting a PIN from an initiating caller corresponding to the telephone call; receiving the PIN in response to the request; validating the PIN; and answering the incoming telephone call in response to the validation. However, the examiner take an official notice that it is well known in the art to include such feature in order to prevent unauthorized access to the user configurations as well as preventing from any unintentional changes in the configurations.

6. Claims 11, 22 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mani (6,744,868) in view of Arbel et al (5,276,731).

Consider claims 11, 22 and 33, Mani did not suggest the method and system further comprising: determining whether to route the incoming telephone call to a particular extension

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based upon the caller profile; and routing the incoming telephone call to the particular extension in response to the determination. However, Arbel et al suggested such (abstract). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Arbel et al in order to support caller using PBX or Key telephone network.

7. Claims 35, 37 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Strauss et al (5,864,612) in view of Scherer (6,975,708).

Consider claim 35, 37 and 39, Strauss et al did not suggest wherein the customer identifier is selected from the group consisting of a customer number, a credit card number, an account number, and a social security number. However, Scherer suggested such (col. 14 lines 15-20). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Scherer into view of Strauss et al in order provide user with various ways identifying the caller.

#### ***Allowable Subject Matter***

8. Claims 4-7, 9, 15-18, 20, 26-29 and 31 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

10. Any response to this action should be mailed to:

Mail Stop \_\_\_\_ (explanation, e.g., Amendment or After-final, etc.)  
Commissioner for Patents

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P.O. Box 1450  
Alexandria, VA 22313-1450  
Facsimile responses should be faxed to:

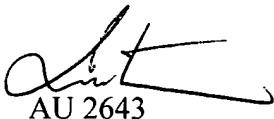
**(571) 273-8300**

Hand-delivered responses should be brought to:  
Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Quoc Tran** whose telephone number is **(571) 272-7511**. The examiner can normally be reached on M, T, TH and Friday from 8:00 to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Curtis Kuntz**, can be reached on **(571) 272-7499**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600** whose telephone number is **(571) 272-2600**.



AU 2643  
March 4, 2006